

Auburn Planning Board Meeting Minutes

January 10, 2012

Roll Call - Present:

City Council Liaison Robert Hayes, Daniel Bilodeau, Emily Mottram, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Tim Goss, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Kenneth Bellefleur and seconded by Robert Gagnon to elect Robert Bowyer to act as Chair for this meeting. The motion carried 6-0-0.

A request to approve the November 15, 2011 meeting minutes was made by staff.

A motion was made by Tim Goss and seconded by Robert Gagnon to approve the November 15, 2011 Planning Board meeting minutes. After a vote, the motion carried 6-0-0.

Robert Bowyer commented that 19 pages of minutes are excessive. He said the minutes of a public meeting do not need to be something like a transcript. The minutes should clearly include all motions and formal actions from the Board and should highlight and summarize rather than attempt to record everything everybody says.

Councilor Hayes said the subject matter sometimes makes it ideal to have detailed minutes especially when it involves action from the City Council as did the PUD Ordinance Amendment which he said was an extremely complicated proposal.

A discussion ensued amongst the Members regarding whether or not the minutes of a meeting should be as detailed as the November 15, 2011 minutes were. Councilor Hayes suggested that the City Council, the Mayor and Eric have a discussion to decide if and when detailed minutes should be provided.

Public Hearings:

Michael Gotto is seeking Site Plan and Special Exception approval for three pad sites (restaurant, restaurant with drive-thru, retail or office) for Auburn Plaza Inc. for the property at 550 Center Street (Auburn Mall) (PID 280-010), pursuant to Chapter 60, Article XVI, Division 3. Special Exception of the City of Auburn Ordinances and delegated Site Location of Development Review.

Robert Gagnon stated that he would be abstaining from participating and voting on this agenda item as he had a conflict of interest having surveyed the property.

City Planner Eric Cousens read the staff report.

Michael Gotto, applicant briefly added to the staff report.

Kenneth Bellefleur asked if recommendation letter “H” was standard wording. Eric Cousens replied it was.

Tim Goss asked Mr. Gotto about the availability of parking spaces if and when the mall would be at full capacity. Mr. Gotto replied that he did not see any problem with the parking situation.

Dan Bilodeau asked how parking spaces were determined. Mr. Gotto answered that in his letter which he had submitted to the Board, he stated 116 parking spaces would be going away with the buildup of the new pad sites but would still leave an adequate amount of spaces for the retail businesses. Parking numbers total: 1,587 spaces proposed; 1,404 required.

Mr. Bilodeau asked if the roundabout was not depicted on the site plan and Mr. Gotto answered that it was not.

Chairman Bowyer said he was confused as to whether this was a subdivision or a special exception. He said he was further confused about the language in the staff report regarding the proposed transfer of land to the abutter, Nobility, LLC. Mr. Gotto explained the situation. Eric Cousens further explained that because it is a transfer of some land to the abutter, it is exempt from subdivision review under the State subdivision law.

Open Public Hearing

Tizz Crowley of 35 University Street asked for a clarification regarding marketing and the identification of separate tax ID entities. Eric explained the owner of the mall will not be getting a separate tax bill but will get a breakdown so tenants can be shown what value is attributed to their individual space.

A motion was made by Tim Goss and seconded by Dan Bilodeau to close the public hearing. The motion carried 5-0-1. (Robert Gagnon abstained)

Chairman Bowyer spoke about condition letter “I” of the staff report. He said the language about oral commitments by the applicant should be removed as it was difficult to remember years later what applicants had verbally committed to during a public hearing.

A motion was made by Dan Bilodeau and seconded by Tim Goss to approve the Site Plan and Special Exception for three pad sites (restaurant, restaurant with drive-thru, retail or office) for Auburn Plaza Inc. for the property at 550 Center Street (Auburn Mall) (PID 280-010), pursuant to Chapter 60, Article XVI, Division 3, Special Exception of the City of Auburn Ordinances and delegated Site Location of Development Review with conditions A thru I of the staff report. The motion carried 5-0-1. (Robert Gagnon abstained)

OLD BUSINESS:

Division 10 – Planned Unit Developments - Draft Planning Board recommendation to be reviewed as part of the minutes.

Eric Cousens explained that the Board had instructed him to provide the draft for the Board's review as part of the minutes at this meeting, not for a new hearing but to insure that he had captured what the Board's intent was at the November meeting. He added that it was not a new public notice and that it had not been tabled so it did not need to come off the table.

Chairman Bowyer asked the Board members if there were any places where the draft did not incorporate their understanding of what was acted upon in November. He stressed that by reviewing this they were not opening this up for debate. He asked if there was a motion to accept the recommendation to the City Council, this citizen initiated amendment as part of the record from the November 15, 2011 Planning Board meeting.

A motion was made by Tim Goss and seconded by Jeremy Hammond to forward the recommendation to the City Council. The motion carried 5-2-0. Dan Bilodeau and Kenneth Bellefleur opposed.

Kenneth Bellefleur asked if Jeremy Hammond could second the motion since he was not at the November Planning Board meeting. Chairman Bowyer agreed that he should not participate in this vote. Robert Gagnon said he would second the motion so the motion now carries 4-2-1 with Dan Bilodeau and Kenneth Bellefleur opposing and Jeremy Hammond abstaining.

MISCELLANEOUS

Eric spoke about the flood map update that is occurring throughout Androscoggin County. He said he was waiting to hear about the new elevations from FEMA and would keep the Board members up to date.

Eric spoke about the property at 836 Center Street. He stated there was a site plan approval just before the last meeting for a Credit Union which did not require Planning Board approval because the size of the building was less than 5,000 square feet.

Dan Bilodeau mentioned the City of Lewiston's latest agenda with regard to their rules to procedure, public procedures for the Freedom of Access Act and the Ethical Principles in Planning. He suggested that the Board members take a look at the documents if they wanted to better themselves as Planning Board members.

Mr. Bilodeau also referenced the October 3, 2011 City Council minutes as it mentioned the City Council had appointed the Planning Board Members to the Technical Advisory Committee as per the 2010 Comprehensive Plan.

ADJOURNMENT

A motion was made by Tim Goss, seconded by Robert Gagnon and all voted unanimously to adjourn. (6-0-0)

Auburn Planning Board Meeting Minutes

February 14, 2012

Roll Call - Present:

Daniel Bilodeau, Emily Mottram, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to elect Robert Bowyer to act as Chair for this meeting. The motion carried 5-0-0.

A request to approve the January 10, 2012 meeting minutes was made by staff.

Jeremy Hammond commented that on page 3 of the minutes he should have been considered as having abstained instead of not having been counted at all.

A motion was made by Jeremy Hammond and seconded by Robert Gagnon to approve the January 10, 2012 Planning Board meeting minutes with the above amendment. After a vote, the motion carried 5-0-0.

Chairman Bowyer explained the procedure of the Planning Board meeting to the members of the audience.

Public Hearings:

Michael Gotto is seeking Subdivision & Site Plan approval on behalf of CEI Housing Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn.

City Planner Eric Cousens read the staff report.

Michael Gotto, applicant, added to the staff report. He introduced Tom Donahue and John Egan of CEI Housing, Inc. and the project attorney Ron Bissonnette.

Robert Gagnon commented about the setback not being 5 feet for all of the units. Mr. Gotto replied that it could easily be corrected.

Chairman Bowyer asked for clarification between a condominium verses a subdivision as this proposal is being called. Mr. Gotto explained why they were referring to this development as a subdivision and explained the unit ownership form.

Ron Bissonnette further explained why the developers chose the Unit Ownership Act instead of the Condominium Ownership Act. He said using the Unit Ownership Act would keep the costs down for future owners.

Dan Bilodeau asked about the disposition of lot 2. Mr. Gotto replied that there were no plans for lot 2 at this time. He said they are hoping for a mixed use project.

Emily Mottram asked about the funding and the different options that the developer had proposed. Mr. Gotto explained the different options and why they decided on this option.

Chairman Bowyer asked where the underground utilities were located. Mr. Gotto said they were proposing to cap the existing utilities coming into the building for future use on lot 2 and explained the plans for sewer and power.

Chairman Bowyer commented about the trees being planted on Main Street and asked why none were proposed on the Academy side. Mr. Gotto replied that he did not think there was a lot of room to have trees on the Academy side of the property. He added that they were not selling the units with a landscape allowance.

Daniel Bilodeau asked if they would sleeve the sewer lines. Eric Cousens replied that this was a question for the City Engineer.

Open Public Hearing

Jonathan Labonte, Mayor and resident of 41 Third Street commended CEI Housing, Inc., City staff and consultants and spoke in favor of the project. He commented about the future of lot 2 and Academy Street and urged Planning Board to approve.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 6-0-0.

Michael Gotto stated that ordinance dictated the parking regulations.

A discussion ensued amongst the Board members and the applicant regarding the parking regulations, reason for lot 2 and setbacks of some of the units.

Dan Bilodeau asked about the possibility of Academy Street being discontinued. Eric replied the Comprehensive Plan does say that we should consider having Academy Street closed or one-way at some point and explained the reasons behind it.

Chairman Bowyer reminded the Board members that there were 2 applications before them. One was a Subdivision Plan approval request and the other was a Site Plan approval request. Mr. Bowyer formulated the following motion:

“The Planning Board approves the Special Exception and Subdivision request of the applicant CEI Housing, Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and

Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn with the following conditions as set forth in the staff report dated February 14, 2012.”

Dan Bilodeau said he would like to add a condition letter E to the staff report which states that a good faith agreement between CEI Housing, Inc. and the City of Auburn as to the future use of Lot 2 so that there is a vested interest not only per the Comp Plan but also the ADAPT Plan. Eric replied that the Ordinance did not have a provision that required this and encouraged that this not be a required condition of approval. He added that we can make certain that the comments that have been heard this evening are noted in the minutes.

A motion was made by Dan Bilodeau and seconded by Robert Gagnon to approve the Special Exception and Subdivision request of the applicant CEI Housing, Inc. for the parcel at 261 Main Street (PID# 231-004) to divide the parcel into 6 lots and construct five housing units and associated parking pursuant to Section 60-547(a)1 and Chapter 60, Article XVI, Division 4 (Subdivision) of the Ordinances of the City of Auburn with the following conditions A through D as outlined in the staff report.

Chairman Bowyer said he had an issue with condition letter “D” of the staff report which referenced oral commitments. He said the word oral should be deleted or substituted with the word written. He said all commitments should be documented. Eric replied that he would try to remember to remove that word from the standard language.

Dan Bilodeau added the condition to remove the word oral from the staff report’s condition letter D.

After a vote, the motion carried 5-1-0. (Kenneth Bellefleur opposed.)

OLD BUSINESS:

None at this time.

MISCELLANEOUS

The Board members commented on the City of Lewiston’s Planning Board Handbook and the added value of having one drafted for Auburn Board members.

It was decided that the date for the Joint Auburn Lewiston Planning Board Workshop would be Tuesday, February 28, 2012 at 6:00 pm.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (6-0-0)

**Auburn Planning Board Meeting Minutes
March 13, 2012**

Roll Call - Present:

Daniel Bilodeau, Acting Chair Robert Bowyer, Kenneth Bellefleur, Robert Gagnon, Jeremy Hammond and City Planner Eric Cousens who represented City staff.

A motion was made by Kenneth Bellefleur and seconded by Robert Gagnon to elect Robert Bowyer to act as Chair for this meeting. The motion carried 5-0-0.

A request to approve the February 14, 2012 meeting minutes was made by staff.

Chairman Bowyer commented that on page 3 of the minutes the count for the motion to adjourn should have been 6-0-0.

A motion was made by Dan Bilodeau and seconded by Jeremy Hammond to approve the February 14, 2012 Planning Board meeting minutes with the above amendment. After a vote, the motion carried 5-0-0.

Public Hearings:

Special Exception & Site Plan approval request of Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. to construct two additions to the manufacturing facility totaling 73,500 square feet in area, a 10,000 square foot gatehouse/contractor building and associated access road and parking areas located at 2879 Hotel Road pursuant to Section 60-578(a)(14). & Section 60-578(b)(35) of the Ordinances of the City of Auburn.

Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. explained the project.

Chairman Bowyer recognized Planning Board member Ken Bellefleur as being disqualified to vote on this public hearing because of having a conflict of interest. He also explained that due to having only 4 voting members, all would have to be in favor in order for this proposal to be approved. He then proceeded to explain the procedure of the Planning Board meeting to the members of the audience.

City Planner Eric Cousens read the staff report.

Dan Bilodeau asked about pedestrian flow and Gary Bair, Project Manager and Plant Engineer for Proctor and Gamble - Tambrands Inc. spoke about the pedestrian flow.

Chairman Bowyer asked about the number of employees, and commented on the various shifts and how they affected the traffic flow at the plant.

Open Public Hearing

Roland Miller, Director of Economic Development for the City of Auburn said this was a positive impact for the City and very much supports this application.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 4-0-1. (Kenneth Bellefleur abstained.)

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to approve the Special Exception & Site Plan approval request of Frank Crabtree, agent for Proctor and Gamble - Tambrands Inc. to construct two additions to the manufacturing facility totaling 73,500 square feet in area, a 10,000 square foot gatehouse/contractor building and associated access road and parking areas located at 2879 Hotel Road pursuant to Section 60-578(a)(14). & Section 60-578(b)(35) of the Ordinances of the City of Auburn with conditions A through F as outlined in the staff report.

After a vote, the motion carried 4-0-1. (Kenneth Bellefleur abstained.)

Chairman Bowyer commented about some of the language used in the list of Findings for Special Exception review. He suggested that the Board submit a list of technical corrections of the Zoning Ordinance to the City Council at least once a year. Eric agreed.

Citizen Initiated Zoning Map Amendment – Public hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Robert Gagnon informed the Board that he would be abstaining from this Public hearing due to a conflict of interest.

Eric read the staff report.

Dan Bilodeau asked if the Airport Master Plan had been mentioned anywhere. Eric said it had not and said the Airport Manager could speak more to how it impacts this side of the lot.

Rick Cloutier, Manager of the Auburn/Lewiston Airport added to the presentation.

Dan Bilodeau asked if there were any uses in the pipeline.

Chairman Bowyer asked what the current use of the property was.

Mr. Cloutier answered that the property was currently vacant and they intended to split the lot and have some aviation uses near the runway portion and possibly have industrial development with aviation contingency to it.

Open Public Hearing

Brian Carrier of 32 Constellation Drive said he was an abutter to the property and had 2 concerns; the first concern is the address of the property being 75 Constellation Drive. He said access should be made using Hotel Road instead of Constellation Drive. The second concern is potential noise. He asked that when development is being proposed that there be some kind of abatement for noise in the planning stages. Both suggestions would protect residential properties in the area from excess noise and traffic.

Eric referenced Section 60-50 of the Zoning Ordinance which addresses Mr. Carrier's concerns about accessing the property using Hotel Road.

Mr. Cloutier mentioned that any approvals for development would have to go through the airport board first before coming to the Planning Board so there would be many public hearings for people to voice their concerns.

Dan Bilodeau asked if there would be a crash fire rescue gate opening at the end of Constellation Drive. Mr. Cloutier responded yes, the gate at the end of the road will be there for emergency use only.

A motion was made by Ken Bellefleur and seconded by Jeremy Hammond to close the public hearing. After a vote, the motion carried 4-0-1. (Robert Gagnon abstained)

A motion was made by Kenneth Bellefleur and seconded by Jeremy Hammond to send a favorable recommendation to the City Council to amend the City Of Auburn Zoning Map in the area of 75 Constellation Drive from Suburban Residential to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Ordinances of the City of Auburn.

Dan Bilodeau commented that he would be voting in favor of the amendment but wanted to say on record that the owner of this parcel, numerous times went before the airport board to get the exact type of operation that the airport is now proposing.

After a vote, the motion carried 4-0-1. (Robert Gagnon abstained)

Subdivision Review – Kittyhawk Business Park Amendment - Joe Casalinova of Building Solutions, LLC., Agent for Hartt Transportation Systems Inc is seeking Final Major Subdivision Review/Amendment for the proposed Kittyhawk Business Park Commercial Subdivision, a seven (7) Lot Subdivision of 30+/- acres, to be located at 565 Kittyhawk Avenue and an amendment to divide lot three (3) into two parcels creating an eighth (8) lot, (PID # 120-015), Pursuant to Chapter 60, Article XVI, Division 4, Subdivision of the City of Auburn.

Eric read the staff report.

Robert Gagnon asked if lot 1 was being changed along with lot 3 and Eric replied yes. Mr. Gagnon then commented about the subdivision plans not having numbers and Eric replied that the applicant will have to supply staff with stamped plans containing bearings and distances.

Brian Casalinova of Building Solutions said he had nothing further to add.

Chairman Bowyer said he was confused about some of the property lines in Drawing A1 and asked for an explanation.

Jeanette Chappell, Project Engineer for Building Solutions said the set of plans before the Board was conceptual and needed to be completed and stamped by a licensed surveyor once one of the lots gets purchased.

Eric explained that this is a review of an amendment to a subdivision plan. We do have a subdivision plan on file with the older lot line changes so there are a lot of reference points that are already established by a surveyor to use in finalizing the plan for this change but the applicant will still need to get bearings and distances for the new lot lines that are showing on this plan.

Open Public Hearing

Roland Miller, Director of Community & Economic Development said he would recommend moving forward positively with this as a slight amendment to the original plan and recommends allowing the developments to continue.

Scott Riccio of 2760 Hotel Road said he was supportive of the proposal but as a conscious effort to public safety asked that the entrance on Kittyhawk be closed and that vehicles use the easement onto First Flight Drive as is proposed by the applicants.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 5-0-0.

Chairman Bowyer stated he was very comfortable with this as a concept but was uneasy having a subdivision plan that wasn't stamped and lacked dimensions, bearings and bounds. Eric accepted responsibility for the lack of information on the plans. He said it's always a tough balance to try to fit in projects on a time table that works for investment.

A motion was made by Dan Bilodeau and seconded by Jeremy Hammond to approve the Final Major Subdivision Review/Amendment for the proposed Kittyhawk Business Park Commercial Subdivision, a seven (7) Lot Subdivision of 30+/- acres, to be located at 565 Kittyhawk Avenue and an amendment to divide lot three (3) into two parcels creating an eighth (8) lot, (PID # 120-015), Pursuant to Chapter 60, Article XVI, Division 4, Subdivision of the City of Auburn subject to conditions 1 through 6 of the staff report and the additional condition that Lot 1 and Lot 3A can still have access as identified by staff.

Robert Gagnon asked what happens now. Eric gave the Board a couple of options on how they could proceed.

Dan Bilodeau amended his motion to include that surveying metes and bounds be provided on the subdivision plan. Jeremy Hammond was ok with the amendment. After a vote, the motion carried 5-0-0.

OLD BUSINESS: None at this time.

MISCELLANEOUS

534 Stevens Mill Road Dog Daycare discussion

Eric explained that the ordinance does not specify a minimum lot size required for dog daycares except that it states at least 3 acres must be made available. The owners of 534 Stevens Mill have written agreements with 3 abutting neighbors which would bring the available acreage to just over 4 acres. Eric discussed with the proponent of this that any approval is conditioned on the continued existence of the neighbor's land area and would have to cease the business if the land area went away.

Some of the Board members were concerned that future neighbors may not want to make their land available to the dog daycare. The Board preferred that the proponent of this get the neighbors to sign a deed restriction to be able to use the land as long as there is a dog daycare. Another option the members discussed was to prorate the amount of dogs per acre.

Mayor Appointed Comprehensive Plan Working Group

Eric mentioned a Comprehensive Plan Working Group was appointed by the Mayor to help the City Manager and staff keep track of what's being done in the Comprehensive Plan. The goal of the committee is to help push those initiatives forward and help guide the City Council and Planning Board on which things are due based on the timeline laid out in the Comprehensive Plan and let the policy makers decide which ones to pursue.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (5-0-0)

Auburn Planning Board Meeting Minutes

April 10, 2012

ROLL CALL - Present:

Evan Cyr, Robert Bowyer, Emily Mottram, Jeremy Hammond, Kenneth Bellefleur, Dan Bilodeau, Robert Gagnon and City Planner Eric Cousens who represented City staff.

The Auburn and Lewiston Planning Board members met for a workshop at the start of this meeting. Daniel Stockford and Anne Torregrossa of Brann & Isaacson presented the Board members with a training session regarding the Legal standing of the Planning Board.

The following action took place at the conclusion of the Joint Auburn / Lewiston Planning Board Workshop:

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to nominate Robert Bowyer as Chair of the Planning Board. After a vote, the motion carried 5-0-2. (Robert Bowyer and Evan Cyr did not vote)

PUBLIC HEARINGS: None at this time.

OLD BUSINESS: None at this time.

MISCELLANEOUS: None at this time.

ADJOURNMENT

A motion was made by Robert Gagnon, seconded by Kenneth Bellefleur and all voted unanimously to adjourn. (7-0-0)